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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/623,441	07/18/2003	Wei-Li Lin	13863 B	3563
7590	04/06/2004		EXAMINER	
CHARLES E. BAXLEY, ESQUIRE			TORRES, MELANIE	
Third Floor 90 John Street New York, NY 10038			ART UNIT	PAPER NUMBER
			3683	

DATE MAILED: 04/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/623,441	LIN, WEI-LI
Examiner	Art Unit	
Melanie Torres	3683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 18 July 2003.

2a)  This action is **FINAL**.                    2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)  Claim(s) 1-9 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1,6 and 7 is/are rejected.

7)  Claim(s) 2-5,8 and 9 is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 18 July 2003 is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1)  Notice of References Cited (PTO-892)
- 2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_ .

5)  Notice of Informal Patent Application (PTO-152)

6)  Other: \_\_\_\_ .

## DETAILED ACTION

### *Drawings*

1. Figures 1 and 2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, and 6, are rejected under 35 U.S.C. 103(a) as being unpatentable over Wallace in view of Gillingham.

Re claim 1, Wallace teaches a shock-absorbing device, comprising an outer threaded tube (12); a threaded rod (16) rotatably mounted in the outer threaded tube and having an outer wall formed with flat surface, the threaded rod being provided with a retractable rod (64) which is slidable in the threaded rod; a compression spring (90) mounted between the retractable rod and the threaded rod; and an urging nut (72) mounted on the threaded rod and rested on a top end of the outer threaded tube, so that the threaded rod is locked on the outer threaded tube. (Figure 1) However,

Wallace does not teach an adjusting nut mounted on the threaded rod and rested on a lower end of the compression spring. Gillingham teaches an adjusting nut (46) mounted on the threaded rod and rested on a lower end of the compression spring. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have included an adjusting nut in the invention of Wallace provide both support and adjustability to the shock absorber.

Re claim 6, Wallace as modified discloses an urging disc (72) mounted on the retractable rod, wherein the compression spring is mounted between the adjusting nut and the urging disc.

4. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wallace in view of Gillingham and further in view of Martinez, Jr. et al.

Re claim 7, Wallace as modified does not teach a positioning nut screwed on a distal end of the retractable rod and rested on the urging disk to prevent the urging disk from detaching from the retractable rod. Martinez, Jr. et al. teaches a positioning nut (22) screwed on a distal end of the retractable rod and rested on the urging disk to prevent the urging disk from detaching from the retractable rod. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used a positioning nut in the invention of Wallace since it is well known in the art that positioning nuts are used to secure piston rods.

***Allowable Subject Matter***

5. Claims 2-5, 8 and 9 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kuo-An, Marzocchi et al. and Liou et al. teach shock absorbing devices.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melanie Torres whose telephone number is (703)305-0293. The examiner can normally be reached on Monday-Friday, 6:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Lavinder can be reached on (703)308-3421. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3683

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MT  
April 5, 2004

*Melanie Jones*

4-5-04